



Administrative Letter Number 31

TO: CDS Board Chairs, CDS Site Directors

FROM: Joanne C. Holmes, Federal State Legislative Liaison
Jim Rier, Deputy Commissioner

DATE: August 8, 2011

RE: Justification / Request to Hire Employee

An effort is underway to find significant budget savings across state government. In response, the Department is taking steps to more strictly enforce the CDS hiring freeze established by Administrative Letter Number 23, dated December 10, 2009.

Prior practice has established that professional therapists may be employed as CDS site staff when the board and the intermediate educational unit find that:

- A. Site staff therapists are needed to perform evaluations of children to ensure appropriate service plans;
- B. Therapists serving children on a contractual basis are unable to provide required services within timelines mandated by the federal Individuals with Disabilities Act; or
- C. Site staff therapists are able to provide services comparable to those provided by contract therapists at an identifiable savings to the Child Development Services System, as determined by the commissioner.

As Administrative Letter Number 23 of December 10, 2009 indicated, there is a hiring freeze in place for all direct service CDS positions. If a Board has determined that a position is critical, under the standards established above, the board must provide justification to the CDS State IEU prior to advertising, interviewing, and hiring. (Use the attached refined form 2011).

The revised Justification / Request to Hire Employee form now requires more detailed justification information for each type of direct hire.

A. If the hiring justification is evaluation or compliance-related (A. or B. above), please provide three months of compliance data indicating the necessity for the direct hire as well as evidence that the services of private providers were sought.

B. If the hiring justification is related to cost savings (C. above), please provide a detailed side-by-side cost analysis describing the anticipated cost of hired staff vs. contracted providers.

For replacement staff, sites are to make every effort to seek out the services of contracted service providers, and replacement hires are to be held to the same hiring freeze standards as new hires. Justifications will need to be submitted for replacement hires as described above, and evidence must be submitted indicating that efforts were undertaken to seek the services of contract providers.

The justifications for all direct service hires, new or replacement, will be reviewed, and must be approved by the Commissioner's Office.

The revised form is attached. Please begin using it as soon as possible.

If you have questions, you can contact Jaci Holmes by phone at 624-6669 or email at jaci.holmes@maine.gov .